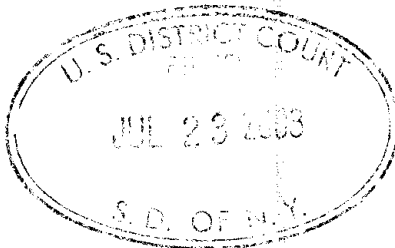


MANDATE



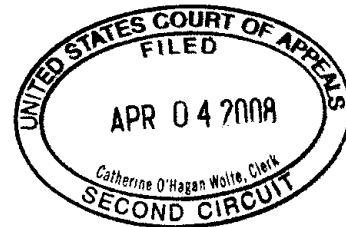
S.D.N.Y.-N.Y.C.
07-cv-3054
Wood, C. J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 4th day of April, two thousand eight,

Present:

Hon. Pierre N. Leval,
Hon. Guido Calabresi,
Hon. Richard C. Wesley,
Circuit Judges.



James E. Johnson,

Petitioner-Appellant,

v.

07-5616-pr

United States of America,

Respondent-Appellee.

Appellant, *pro se*, moves for a stay of his appeal from the district court dismissal of his 28 U.S.C. § 2255 motion, pending the disposition of his direct criminal appeal in docket no. 06-5280-cr. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal of the denial of his 28 U.S.C. § 2255 motion is DISMISSED without prejudice to later filing of a 28 U.S.C. § 2255 motion.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

By: 

A TRUE COPY

Thomas Asreen, Acting Clerk

by 

Deputy Clerk

- ISSUED AS MANDATE -

JUL 22 2008